



UNITED STATES
PATENT AND
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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| In re Application | : |
| Komelia BERGHOFF et al. | : |
| Serial No.: 09/463,209 | : WITHDRAWAL OF ABANDONMENT |
| Filed: May 12, 2000 | : |
| Attorney Docket No.: 930008-2003 | : |

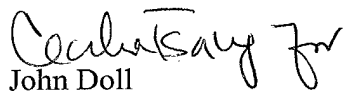
This is in response to the petition to withdraw holding of abandonment based on failure to receive office action filed May 16, 2003

A review of the file history shows that the Office mailed a Communication to applicants on September 17, 2002. On May 14, 2003, applicant became aware of that the infant application is abandoned during a telephonic conversation with the examiner. On May 16, 2003, the present petition was filed. Applicant's representative states that a search of the file jacket and docket records indicates that the referenced communication was never received. Applicant's statement and evidence show that the communication dated September 17, 2002 was never received.

It is noted that no Notice of Abandonment has been mailed although the application is technically abandoned. Therefore the petition is dismissed. The communication dated September 17, 2002 is being remailed herewith. Applicant is giving ONE MONTH or THIRTY DAYS from the mailing date of this decision, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

Applicants' petition is **Dismissed**.

Should there be any questions with respect to this decision, please contact Cecilia Tsang at (703) 308-0254, by mail addressed to: Director, Technology Center 1600, PO Box 1450, Alexandria VA 22313-1450, or by telephone at (703)308-0254 or by facsimile transmission at (703) 308-7230.


John Doll

Director, Technology Center 1600